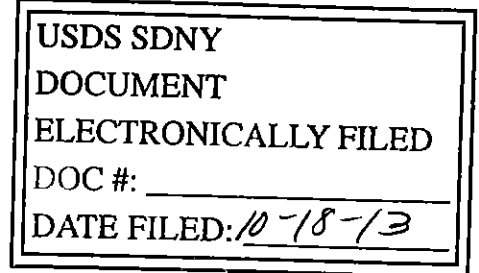


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October 17, 2013

Honorable P. Kevin Castel
United States District Court
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007



In Re Bank of Am. Corp. Sec., Derivative & ERISA Litig., Master File No. 09 MDL 2058

Withdrawal of David C. Ware, Gregory F. Smolar, Mary Jo White and Andrew J. Ceresney as Counsel for Kenneth D. Lewis in Related Actions

Dear Judge Castel:

This firm previously advised the Court that David C. Ware, Gregory F. Smolar, Mary Jo White, and Andrew J. Ceresney have departed from Debevoise & Plimpton LLP, counsel for Kenneth D. Lewis, and requested permission to withdraw them as counsel of record from the master docket (09 MDL 2058) and all related dockets. [Dkt. Nos. 736, 790, 872, 894.] I understand that the Clerk's Office have removed these attorneys from the master docket but cannot remove them from the related dockets absent an order from the Court listing all the docket numbers in the related actions from which we want these attorneys removed as counsel of record.

As a result, I respectfully request that you signify your approval of Ms. White's and Messrs. Ceresney's, Ware's, and Smolar's withdrawal from the following dockets by endorsing this letter so that the Clerk may modify and update the Court's records:

- *DiNapoli, et al. v. Bank of America Corp., et al.*, No. 10 Civ. 5563
- *Graber v. Bank of America Corp., et al.*, No. 11 Civ. 7070
- *Stichting Pensioenfond ABP, et al. v. Bank of America Corp., et al.*, No. 10 Civ. 2284
- *Schwab S&P 500 Index Fund, et al. v. Bank of America Corp., et al.*, No. 11 Civ. 7779

Application granted.
SO ORDERED.
[Signature]
10-18-13

Honorable P. Kevin Castel

2

October 17, 2013

Thank you for your courtesy and assistance.

Respectfully submitted,

/s/ Colby A. Smith

Colby A. Smith

Counsel for Kenneth D. Lewis

By ECF